



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/772,137	02/04/2004	Gary Shigeru Natsumi	MAKO 2 00030	1868
27885	7590	02/21/2008		
FAY SHARPE LLP 1100 SUPERIOR AVENUE, SEVENTH FLOOR CLEVELAND, OH 44114			EXAMINER SHAHRESTANI, NASTIR	
			ART UNIT 3737	PAPER NUMBER
			MAIL DATE 02/21/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/772,137

Applicant(s)

NATSUMI ET AL

Examiner

NASIR SHAHRESTANI

Art Unit

3737

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 December 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/5508)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This action is responsive to Applicant's communication filed 12/03/2007.

Claims 3-14 are pending.

Response to Arguments

Applicant's arguments with respect to claims 3-14 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 3 and 7-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Anlauff (U.S. 2004/0114315).

Anlauff teaches a convertible mobile computing device comprising:

A case (base unit 210; par. 0001) housing a computer; a panel shaped display having a screen on one side (element 290); a bracket (web portion 333) operable to couple said display device to said case (fig. 6), whereby the display is pivotable between a stowed position in which the screen faces a side of the case and an open position, in which the screen faces away from the case (fig. 4

& 5). Anlauff teaches a first hinge and second hinge (web portion of fig. 6) to hingeably couple a first end of said bracket to said case (fig. 6).

Regarding claims 7-10, Anlauff further teaches a stowed position, a fully extended position, as well as a lower position (see figs. 4, 5, and 11 respectively).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Anlauff (U.S. 2004/0114315) in view of Kardis et al. (U.S. 6,628,267)

Anlauff teaches all the limitations of claim 3 but does not teach a keyboard hingeably coupled to said case.

Kardis et al. teach a computer device having rotatable and flexible display panel and keyboard configurations wherein a keyboard is rotationally and hingeably connected to a case (fig. 2).

It would have been obvious to one of ordinary skill in the art at the time of invention to have modified Anlauff and to have included the teaching of Kardis et al. in order to provide for increased mobility of various components of the computer system for the user.

Claims 5-6, 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anlauff (U.S. 2004/0114315) in view of Malackowski et al. (U.S. 2004/0073279 A1).

Anlauff teaches all the limitations of claim 7 but not specifically teach the use of a stand for surgical procedures.

Malackowski et al. teach a surgery system (element 100) including a stand having a computer system attached thereto having a pivotable and rotatable minotor (element 108) having a camera (element 104) system attached and utilized.

It would have been obvious to one of ordinary skill in the art at the time of invention to have modified Anlauff and to have included the teaching of Malackowski et al. in order to provide for increased mobility of various components of the computer system for the user while employing a camera system to monitor a patient and to provide for easier access to the computer system by the user while standing.

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Anlauff (U.S. 2004/0114315) in view of Malackowski et al. (U.S. 2004/0073279 A1) and in further view of Kardis et al.

Anlauff in view of Malackowski et al. teach all the limitations claims 11-13 but do not teach a keyboard hingeably coupled to said case.

Kardis et al. teach a computer device having rotatable and flexible display panel and keyboard configurations wherein a keyboard is rotationally and hingeably connected to a case (fig. 2).

It would have been obvious to one of ordinary skill in the art at the time of invention to have further modified Anlauff in view of Malackowski et al. and to have included the teaching of

Kardis et al. in order to provide for increased mobility of various components of the computer system for the user.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NASIR SHAHRESTANI whose telephone number is (571)270-1031. The examiner can normally be reached on Mon.-Thurs: 7:30-5:00, 2nd Friday: 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Casler can be reached on 571-272-4956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/N. S./
Examiner, Art Unit 3737

/Brian L Casler/
Supervisory Patent Examiner, Art Unit 3737

